

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WILUS INSTITUTE OF STANDARDS AND
TECHNOLOGY INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, and
SAMSUNG ELECTRONICS AMERICA,
INC.

Defendants.

Civil Action No. 2:24-cv-00746-JRG-RSP

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO MOVE, ANSWER OR
OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT AND
WAIVER OF FOREIGN SERVICE REQUIREMENT**

Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc., Defendants herein, without waiving any defenses described or referred to in Rule 12 F.R.C.P., move the Court to extend the time within which Defendants are required to move, answer, or otherwise respond to Plaintiff's Complaint. In support of their Motion, Defendants state as follows:

1. On September 11, 2024, Plaintiff filed its Complaint alleging patent infringement against Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc.
2. On September 16, 2024, Defendant Samsung Electronics America, Inc. was served with Plaintiff's Complaint. Samsung Electronics Company, Ltd. has not yet been served.
3. Counsel for Defendants has agreed to waive service under the Hague Convention for Samsung Electronics Company, Ltd., a foreign entity, in exchange for a 91-day extension of time for all defendants to answer or otherwise plead by January 6, 2025.

4. Defendants' agreement with Plaintiff should not be construed as a waiver of any other rights or defenses, including, for instance, Defendants' right to file counterclaims, affirmative defenses, or to otherwise challenge the validity of the subject patents.

WHEREFORE, Defendants Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc., respectfully request that the time in which they are required to move, answer, or otherwise respond to Plaintiff's Complaint for Patent Infringement be extended up to and including January 6, 2025.

Dated: October 1, 2024

Respectfully submitted,

/s/ Melissa R. Smith

Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
Email: melissa@gillamsmithlaw.com

***Attorney for Defendants
Samsung Electronics Company, Ltd., and
Samsung Electronics America, Inc.***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 1st day of October, 2024.

/s/ Melissa R. Smith
Melissa R. Smith

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Defendants met and conferred with counsel for Plaintiff. Counsel for Plaintiff indicated that it is unopposed to this motion.

/s/ Melissa R. Smith
Melissa R. Smith